



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

Via Electronic Mail To: george.wong@jcdus.com

Docket No. F-02-2020-5067

George Wong
JCD Distribution Inc.
1320 131st Street
College Point, NY 11356-1920

Re: NOTICE OF REFUSAL OF ADMISSION

Import of Disinfecting Wipes, Entry No. WIB-13442952

Dear Mr. Wong:

In connection with the enforcement of the Federal Insecticide, Fungicide, and Rodenticide Act ("FIFRA" or "the Act"), as amended, 7 U.S.C. § 136, et seq., the United States Environmental Protection Agency – Region 2 ("EPA" or the "Region") has examined samples or other evidence with respect to the following shipment:

Product Name: Disinfecting Wipes – Scent Free

Importer: JCD Distribution

Manufacturer: Hangzhou Caring & Cleaning Commodity Co. Ltd.

Shipper: Shaoheng International Trading Co.

Bill Number: HDMUQSWB9095321

Entry Number: WIB-13442952

Arrival Date: 08/08/20

Port of Entry: 4601 – Newark/New York

Entry Line: 1

Amount: 11,616 100-wipe packs

On August 12, 2020, EPA became aware of the above shipment of disinfectant wipes which was found during a routine review of imports. On that day, EPA contacted your company via email requesting that a Notice of Arrival be submitted for the shipment as the product is a pesticide under FIFRA. On August 13, 2020, you emailed EPA to relate that your supplier had told you the product was registered under FIFRA § 3(a), 7 U.S.C. § 136a(a), but you had discovered that it was not. Unregistered pesticides are prohibited from sale and distribution in the U.S. pursuant to FIFRA § 12(a)(1)(A), 7 U.S.C. § 136j(a)(1)(A); therefore, the products must be refused entry. In your email you further said that you understood that you would be unable to import the products to the United States and requested that your company be allowed to export the products in order to return it to the seller in China.

EPA therefore hereby notifies you that your merchandise has been refused admission. You must export this merchandise, under supervision of the U.S. Customs and Border Protection (CBP) and within ninety (90) calendar days from the date of this Notice or within such additional time as EPA or the District Director of CBP specifies or dispose of the products. Failure to do so may result in either the destruction of the merchandise as authorized by the Act, or, if the shipment has been released to you under bond, in any action necessary to enforce the terms of said bond.

EPA acknowledges that the COVID-19 pandemic may be impacting your business. If that is the case, we will consider your specific circumstances in determining an appropriate timeline for complying with this notice, while still ensuring that the Agency receives the information it needs to timely confirm your company's compliance with FIFRA; such consideration does not extend to allowing the shipment and distribution of misbranded products into the United States.

If you have any questions, please contact Michael Brannick at 732-321-4349 or brannick.michael@epa.gov.

Sincerely,

for Dore LaPosta, Director
Enforcement & Compliance Assurance Division

cc: Sharon Chan, Sun Bay International (sharon@sunbayint.com)
Cathy Huang, Win Global Logistics (cathy@wglus.com)
Terrance Brennan, U.S. Customs and Border Protection (terrance.m.brennan@cbp.dhs.gov)